



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. [MD]No.6805 of 2021

and

W.M.P. [MD]Nos.5231 & 5232 of 2021

WEB COPY

S.Vignesh

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by its Secretary,
Forest Department,
Fort St. George,
Chennai.
- 2.The Chief Conservator of Forests,
O/o. The Chief Conservator of Forest,
NGO A Colony,
Tirunelveli - 7.
- 3.The Divisional Forest Officer,
Social Forestry Division,
North Main Road,
NGO Colony,
Tirunelveli - 7.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to accommodate the petitioner either as Forest guard cum Driver or Anti Poaching Watcher in the available vacancies in the Nanguneri Social Forestry Range or in any other range in the Tirunelveli Circle in Tirunelveli District under the control of the respondent Forest Department within time frame stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Mrs.V.P.M.Vaishnavi
Government Advocate

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.The case of the petitioner is that the petitioner was appointed as Driver on temporary basis by the third respondent and he joined duty on 13.09.2013. Though the petitioner rendered unblemished service for 6 years, the Forest Ranger, namely Sankar, removed the petitioner from service on 05.02.2019, without stating any reason. In this regard, the petitioner made several representations dated 11.04.2019, 30.07.2019 and 13.03.2021, seeking to accommodate the petitioner in any of the vacant posts in the Forest Department. Since, the representations of the petitioner are



still pending consideration, the present writ petition has been filed.

3.Learned Counsel for the petitioner requests this Court to issue a direction to the respondents to consider the representations of the petitioner.

4.This Court considered the fact that the petitioner was orally terminated. However, the oral termination order has not been challenged so far before the appropriate forum. The writ petition filed without challenging the order of termination, is not maintainable.

5.Accordingly, this Writ Petition is dismissed. However, the petitioner is at liberty to workout his remedy in the manner known to law. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR

To

1.The Secretary,
State of Tamil Nadu,
Forest Department,
Fort St. George, Chennai.

2.The Chief Conservator of Forests,
O/o. The Chief Conservator of Forest,
NGO A Colony,
Tirunelveli - 7.

3.The Divisional Forest Officer,
Social Forestry Division,
North Main Road,
NGO Colony, Tirunelveli - 7.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-14044[F] dated 29/03/2021)

+1 CC to M/s.SPL GP (SR-14107[F] dated 29/03/2021)

W.P. [MD]No.6805 of 2021

25.03.2021

RK (26.04.2021) 2P 6C

<https://hcservices.ecourts.gov.in/hcservices/>